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Honorable Stuart Symington, Chairman
Subcommittee on US Security
Agreements and Commitments Abroad
United States Senate

Dear Mr. Chairman:

The Secretary of State has asked me to respond to your letter of July 7th requesting certain information relating to the agreements or arrangements we have with foreign governments and treaty organizations for the exchange of classified information and intelligence.

Inasmuch as arrangements for the exchange of intelligence involve matters of extreme sensitivity, I have asked the Director of Central Intelligence to discuss these points with you separately on behalf of the Executive Branch,

The following responses, therefore, concern themselves only with classified information.

Question 1: With what foreign governments does the United States have an agreement or arrangement under which we provide that government with classified information and/or intelligence?

Classified information is provided to foreign governments when to do so will result in a net advantage to the interests of the United States, taking into account the measures that will be taken to safeguard the information, and provided that furnishing the information will be

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consistent with the foreign policy and the defense interests of the United States, and otherwise consonant with any applicable laws or procedures. For the most part, decisions to provide classified information to foreign governments are taken as a matter of policy when such action is in support of policy objectives which call for common understanding by the governments involved on matters of common concern, rather than stemming from specific agreements or arrangements.

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In the field of military application of atomic energy information, agreements authorize the exchange of such information

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[redacted] among the parties to the North Atlantic Treaty, and with the North Atlantic Treaty Organization, pursuant to Section 144 (b) and (c) of the Atomic Energy Act, as amended.

There are a large number of "Data Exchange Agreements", primarily with friendly industrially advanced governments, providing for the exchange of classified information on specific projects connected with the research, development, production or maintenance of classified military equipment. These agreements, entered into between Ministries of Defense, normally concern themselves with a specific project related to a specified item of military equipment. A list of the countries with which we currently have such agreements is at enclosure _____.DOS

Separate agreements and arrangements provide for the protection of classified information exchanged. General security agreements have been entered into with

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[redacted] More specific security arrangements may cover security procedures for exchanges with other countries or special arrangements applicable to specific cases.

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Apart from classified military information, it should be noted that the conduct of business between governments is normally a private matter. Negotiations are by their very nature confidential. The process of intercourse between governments, therefore, normally deals with exchanges which are classified, as well as frequently concerning themselves with classified subjects.

Various international agreements, both bilateral and multilateral, call for consultation among the parties thereto on the subject of the basic agreement. Such consultation may involve the exchange of classified information.

Question 2: What kind of information and/or intelligence do we receive in return?

While we have certain agreements to exchange classified information in return for the same kind or other kinds of information, such as the agreements between the parties to the North Atlantic Treaty for cooperation regarding atomic information, most often US classified information is provided, as noted above, not on a quid pro quo basis, but rather on the basis that its provision will be to the net advantage of the United States. For example, if it is determined that it is in the overall security interest of the United States to make available military equipment with classified components to a friendly country in order to improve that country's capability for independent and collective self-defense, the receipt of classified information by the United States in return thereof would not be a relevant factor.

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As another example, the provision of classified information consisting of a political evaluation as to the significance of the developments in a certain area of the world might be provided because of the desire to develop a common understanding of the significance of such events. Of course, the provision of such information would have the added advantage of tending to make more likely the reciprocal provision of similar evaluations or other information by the other government concerned.

Question 3: How and where is this information and/or intelligence received or exchanged?

The exchange of classified information between governments, or between governments and representatives of international organizations, normally take place in Washington and in other friendly capitals, or at the appropriate headquarters of the international organizations concerned. Such information may be exchanged orally, or in writing, as the case may be.

Question 4: What security classification does the information and/or intelligence involve in each case?

The classification involved in each case will vary, DOS depending upon the subject matter -- and therefore the classification -- of the item of information concerned. 25X6 For example, pursuant to the agreement under Section 144 (c) of the Atomic Energy Act, as amended, [redacted]

[redacted] Under other arrangements, and as part of normal intercourse between governments, classified information exchanged [redacted] involves 25X6 TOP SECRET, SECRET and CONFIDENTIAL, as the case may be. Similarly, while all NATO military planning is classified Cosmic Top Secret, and the atomic aspects thereof have DOS even more special handling, information exchanged between this government and the North Atlantic Treaty Organization and its members on a continuing basis, both of a military and a non-military nature, may involve any or all categories of security classification.

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Question 5: What is the nature of the agreement we have with the North Atlantic Treaty Organization under which we provide classified information and/or intelligence?

In addition to matters previously referred to, classified military information is provided as part of our participation in NATO defense planning undertaken pursuant to Article III of the North Atlantic Treaty, and in accordance with political directives issued by the North Atlantic Council. Security controls safeguarding the information thus provided appear in various agreements.

The report of the Committee of Three on Non-Military Cooperation in NATO, approved by the North Atlantic Council on December 13, 1956, sets forth the policy governing political consultation in the North Atlantic framework. Pursuant thereto, information of a classified but non-military nature is exchanged with the members of NATO and with the Organization on a continuing basis.

Question 6: With what other treaty organizations do we have an agreement or arrangement under which we provide classified information and/or intelligence?

Article V of the SEATO treaty constitutes the obligation for "consultation with regard to military and any other planning as the situation obtaining in the Treaty Area may from time to time require." Pursuant thereto, classified military information is exchanged as appropriate on a continuing basis and classified information of a political nature is presented at the annual Council meeting and at the monthly meetings of the Council Representatives. Classified information is likewise provided by the United States to the Inter-American Defense Board and to the Central Treaty Organization on a more limited basis.

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Sincerely yours,

David M Abshire
Assistant Secretary for